

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

UNITED STATES OF AMERICA)
)
v.) Criminal No. 3:02CR00264 (AWT)
)
E. KIRK SHELTON)

**RULING ON DEFENDANT'S MOTION FOR PROTECTIVE ORDER AND
CONFIDENTIALITY ORDER**

For the reasons set forth below, Defendant's Motion for Protective Order and Confidentiality Order (Doc. No. 2112) is hereby DENIED, as moot.

The defendant requested a stay of the Order of Restitution issued by this court on August 12, 2005. To enable the court to fashion appropriate terms of a stay of the Order of Restitution (see Fed. R. Crim. P. 38(e)), the defendant agreed to provide the government and Cendant Corporation with certain financial information. (See Hearing Tr., Feb. 17, 2006.) The defendant agreed to produce these documents with the understanding that the court would enter a protective order and confidentiality order. (See id., at 55-56.) On February 20, 2006, the defendant produced certain documents, but refused to produce other documents in the absence of a protective order and confidentiality order. The parties and Cendant Corporation were largely in agreement as to the terms of such an order but were unable to agree with respect to certain points. Absent a stipulation, the court did not instruct the defendant to produce

additional documents being sought by the government and by Cendant Corporation, (see Hearing Tr., March 9, 2006, at 34), and the government suggested that it would simply continue to conduct third party discovery.

It is so ordered.

Dated this 1st day of August 2006 at Hartford, Connecticut.

/s/ (AWT)
Alvin W. Thompson
United States District Judge